

File No. 25587

Baltimore, October 17, 1919.

John T. Frantz, Esq.,
 Asst. Engr. Building Department,
 Consolidated Engineering Co.,
 243-69 Calvert Bldg.,
 City.

Dear Sir:

13447 Replying to your letter of the 16th instant, with reference to the Fallsway assessment on the property at Holliday, Hillen streets and the Fallsway, of the Maryland Color Printing Company, there is no appeal growing out of this improvement pending in the Court of Appeals of Maryland. The last case that was before the Court of Appeals was decided in the spring of this year in the City's favor. The street book is now in the hands of the Commissioners for Opening Streets for a review of the benefit assessments. When that review is completed they will publish a notice in the newspapers and all parties interested will have the right to appeal to the Baltimore City Court from the action of the Commissioners for Opening Streets, within thirty days from the first publication of that notice.

Under the provisions of paragraph five of Section 6 of the Building Code of Baltimore City "no permit shall be given until all fees and taxes provided for by law or ordinance have been paid." There is, therefore, no power in any public official to waive the payment of the assessment of \$4,527.20 mentioned by you. However, if you take your appeal, as above indicated, after the review by the Commissioners for Opening Streets, and the Court should decide that the assessment against you should be less than the above named amount, you will be able to secure a refund of the excess under the provisions of Section 180 of the City Charter.

Truly yours,

(Signed) Henry W. Weeks,

Clerk.

P.S. - I will be glad to discuss this matter further with you or Mr. Cummins if you will call at the office. ✓

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